

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION**

**BRUCE T. MALONE**

**CIVIL ACTION NO. 3:17-CV-853**

**VS.**

**SECTION P**

**JUDGE ELIZABETH E. FOOTE**

**JIM TUTEN, ET AL.**

**MAGISTRATE JUDGE HAYES**

**JUDGMENT**

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein [Record Document 16], and after an independent review of the record, determining that the findings are correct under the applicable law, and considering the objections to the Report and Recommendation in the record;

**IT IS ORDERED, ADJUDGED AND DECREED** that the complaint be **DISMISSED WITHOUT PREJUDICE** for failure to state a claim for which relief may be granted.

**IT IS FURTHER ORDERED** that the Motion to Summon Allen Mayes and Robert William [Record Document 13] is **DENIED**.

**THUS DONE AND SIGNED**, in chambers, in Shreveport, Louisiana, on this 16<sup>th</sup> day of NOVEMBER, 2017.

  
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**ELIZABETH E. FOOTE  
UNITED STATES DISTRICT JUDGE**